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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	<u>ANSWER OF GARNISHEE</u>
	:	
Plaintiff and	:	11 CR 0652 (HBP)
Judgment-Creditor,	:	
	:	
-v.-	:	
	:	
JOHN J. O'BRIEN,	:	
	:	
Defendant and	:	
Judgment-Debtor,	:	
	:	
and	:	
	:	
SULLIVAN & CROMWELL, LLP,	:	
	:	
	:	
Garnishee.	:	

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Sullivan & Cromwell LLP, BEING DULY SWORN
(Affiant)

DEPOSES AND SAYS:

IF GARNISHEE IS AN INDIVIDUAL:

That he/she is Garnishee herein doing business in the name of

(State full name and address of business)

IF GARNISHEE IS A PARTNERSHIP:

That he/she is Scott D. Miller of the partnership of which Garnishee is a partner.
a partner

IF GARNISHEE IS A CORPORATION:

That he/she is the (State Official Title) _____ of Garnishee, _____ a corporation, organized under the laws of the State of _____.

On _____, Garnishee was served with the Writ of Continuing Garnishment. For the pay period in effect on the date of service (shown above):

Yes No

- ____ 1. Defendant was in my/our employ.
2. Pay period is ____ weekly, ____ bi-weekly, ____ semi-monthly, ____ monthly.

Enter date present pay period began _____.

(Present means the pay period in which this order and notice of garnishment were served). Enter date present pay period ends _____.

3. Enter amount of net wages. Calculate below:

(a) Gross Pay	\$ _____
(b) Federal income tax	\$ _____
(c) F.I.C.A. income tax	\$ _____
(d) State income tax	\$ _____
Total of tax withholdings	\$ _____
Net Wages (subtract (a) from the total of (b),(c) and (d))	\$ _____

4. Have there been previous garnishments in effect. If the answer is yes, describe below.
- _____

The Garnishee has custody, control or possession of the following property (non-earnings), in which the debtor maintains an interest, as described below:

<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Defendant's Interest in Property</u>
1. <u>* SEE STATEMENT ATTACHED *</u>		
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Garnishee anticipates owing to the defendant in the future, the following amounts:

	<u>Amount</u>	<u>Estimate date or Period Due</u>
1.	\$ <u>* SEE STATEMENT ATTACHED *</u>	_____
2.	\$ _____	_____
3.	\$ _____	_____
4.	\$ _____	_____

Check the applicable box below if you deny that you hold property subject to this order of garnishment.

☐ The Garnishee makes the following claim of exemption on the part of defendant: _____.

☐ The Garnishee has the following objections, defenses, or set-offs to the Government's right to apply Garnishee's indebtedness to the defendant upon the Government's claim: _____.

☐ The Garnishee was then in no manner and upon no account indebted or under liability to the defendant, and that the Garnishee did not have in his/her possession or control any property belonging to the defendant, or in which the Garnishee has an interest; and is in no manner liable as Garnishee in this action.

The Garnishee has:

(1) Filed the original answer by mailing or delivering the answer to:

Clerk of the Court
Southern District of New York
United States District Courthouse
500 Pearl Street
New York, New York 10007
Attn: Arraignment Unit, Rm 520

(2) Mailed copies of this answer on August 3, 2018 by first class mail to:

John J. O'Brien
1233 Christian Street, Unit I
Philadelphia, PA 19147

and

United States Attorney's Office
86 Chambers Street
New York, New York 10007
Attn: Kathleen A. Zebrowski
Assistant United States Attorney

Subscribed and sworn to before me this


Garnishee

3rd day of August, 2018



Notary Public

(Seal)

My Commission expires: 9/7/2021

MARIA S. MARCIANO
Notary Public, State of New York
No. 01MA6030138
Qualified in Richmond County
Certificate Filed in New York County
Commission Expires September 07, 2021

U.S. v. John J. O'Brien
 Court No: 11CR 0652 (HBP)
 Social Security Number: 188-56-0483

ATTACHMENT TO ANSWER OF GARNISHEE

The Garnishee has custody, control or possession of the following property (non-earnings), in which the debtor maintains an interest as described below:

Description of Property	Approximate Value	Description of the Defendant's Interest Property
Retirement Plan of Sullivan & Cromwell LLP	\$607,675.76 as of May 31, 2018	Defined Contribution Plan Balance
Sullivan & Cromwell LLP Supplemental Retirement Plan	\$103,819.79 as of May 31, 2018	Defined Contribution Plan Balance

Garnishee anticipates owing to the defendant in the future, the following amounts:

Amount	Estimated date or Period Due
\$63,846.75	Annual Benefit of \$63,846.75, payable as a Single Life Annuity commencing at age 65 (July 1, 2028) under the Sullivan & Cromwell LLP Group Defined Benefit Plan for Partners Note: Pursuant to Plan, payments may commence as early as age 55 (July 1, 2018) with actuarial reductions due to early commencement
\$17,985.00	Annual Benefit: \$17,985.00, payable as a Single Life Annuity commencing at age 65 (July 1, 2028) under the Sullivan & Cromwell LLP Supplemental Pension Plan for Partners Note: Pursuant to Plan, payments may commence as early as age 55 (July 1, 2018) with actuarial reductions due to early commencement